

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SALLY HADDOCK,

Plaintiff(s)

-against-

Civil Action No.

DOLLAR TREE STORES, INC.,

Defendant(s)

NOTICE OF REMOVAL

AND NOW, come defendant **DOLLAR TREE STORES, INC.**, by and through its attorneys, **MINTZER, SAROWITZ, ZERIS, LEDVA & MEYERS**, and respectfully aver as follows:

1. Defendant, **DOLLAR TREE STORES, INC.**, is a Foreign Business Corporation, incorporated under the laws of the State of Virginia with its principal place of business located in the State of Virginia.

2. The plaintiff has commenced a civil action against the defendants in the Supreme Court of the State of New York, County of Bronx (Index No. 33027/2020E). The Summons and Complaint, being the originally served process of this case, was filed with the Bronx County Clerk on November 3, 2020. Attached hereto and marked as ***Exhibit "A"*** is a true and correct copy of the Plaintiff's Summons and Verified Complaint. Attached hereto and marked as ***Exhibit "B"*** is a true and correct copy of Defendant's Verified Answer and Notice to Take Deposition, which was served and filed on February 8, 2021.

3. It is alleged in the Complaint that plaintiff was and still is a resident of the State of New York, County of Bronx, and therefore is a citizen of the State of New York.

4. In the Complaint, the plaintiff has made a claim exceeding the jurisdictional limits of all lower Courts and in an amount which satisfies diversity jurisdiction of the Federal Courts

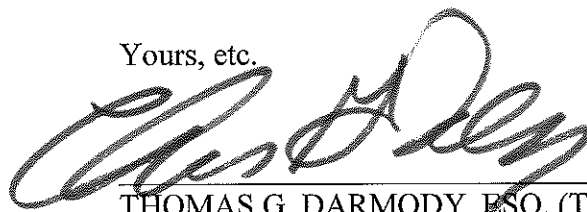
pursuant to 28 USCA § 1441 and 1331. On April 21, 2021, I spoke with Blake Goldfarb, Esq. at Plaintiff Counsel's office to elicit a settlement demand. Mr. Goldfarb stated that he was not in a position to make a settlement demand at that time, however, he did confirm that his demand would be in "excess of \$500,000." Therefore, the sum in controversy, exclusive of interest and costs, is in excess of \$75,000 Dollars. As such, this matter became removable to Federal Court as of April 21, 2021.

5. Diversity of citizenship exists between the plaintiff, a New York resident, and the defendant, **DOLLAR TREE STORES, INC.**, a Foreign Business Corporation, incorporated under the laws of the State of Virginia with its principal place of business located in the State of Virginia.

WHEREFORE, defendants respectfully request that the above-captioned matter, now pending in the Supreme Court of the State of New York, County of Bronx, be removed therefrom to this Honorable Court.

Dated: New York, New York
May 6, 2021

Yours, etc.



THOMAS G. DARMODY, ESQ. (TGD 8368)
MINTZER, SAROWITZ, ZERIS LEDVA & MEYERS, LLP
Attorney for Defendant(s)
DOLLAR TREE STORES, INC.
39 Broadway, Suite 950
New York, NY 10006
(212) 968-8300
File # 007066.000023

TO: Blake Goldfarb, Esq.
BURNS & HARRIS, ESQS.
Attorney for Plaintiff
SALLY HADDOCK
233 Broadway, Suite 900
New York, NY 10279

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MINTZER SAROWITZ ZERIS LEDVA & MEYERS, LLP

Attorneys for

DOLLAR TREE STORES, INC.

39 Broadway - Suite 950

New York, New York 10006

(212) 968-8300

Our File: 007066.000023

CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. §130-1.1a

THOMAS G. DARMODY, ESQ. hereby certifies that, pursuant to 22 N.Y.C.R.R. §130-1.1a, the foregoing Notice of Removal is not frivolous nor frivolously presented.

Dated: New York, New York
May 6, 2021


THOMAS G. DARMODY, ESQ.

PLEASE TAKE NOTICE

that the within is a true copy of a _____ entered in the office of the clerk of the within named Court on _____.

that a _____ of which the within is a true copy will be presented for settlement to the Hon. one of the judges of the within named Court at _____, on at 9:30 a.m.

MINTZER SAROWITZ ZERIS LEDVA & MEYERS, LLP

Attorneys for

DOLLAR TREE STORES, INC.

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New York, New York 10006

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